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DP-REG Digital Technologies Working Group

9 August 2023, 12:00pm to 1:30pm AEST

Attendance:

- ACCC – [REDACTED]
- eSafety – [REDACTED]
- OAIC – [REDACTED]
- ACMA – [REDACTED]

Minutes prepared by the ACCC

Open Meeting and confirm minutes

The Chair opened the meeting, and the [minutes of the previous meeting](#) were approved (noting one adjustment made to the OAIC's update, amending reference to the International Network for Digital Regulatory Cooperation).

[REDACTED] advised the group of his conflict of interest.

Agency updates, including attendance at any events and/or any upcoming events

ACCC

- [REDACTED]
- In an action brought by the ACCC, the Federal Court ordered two Meta subsidiaries, Facebook Ireland and Onavo Inc, to each pay \$10 million in penalties for engaging in conduct liable to mislead in breach of the Australian Consumer Law.
- The Minister for Finance Katy Gallagher assigned the ACCC responsibility for the Digital ID program; some of the Minister's public comments also flagged the potential establishment of a single digital regulator (the program delivery functions of such an entity are unclear).
- Met with the DISR and discussed their responsible AI consultation among other matters (noting the DISR had limited information to convey on the consultation to date as they have received a large number of submissions to the consultation and are extremely busy).

ACMA

- On 25 July 2023, the ACMA published [the second report to the Government](#) outlining its views on digital platforms' efforts under the voluntary Australian Code of Practice on Disinformation and Misinformation. The report includes visualisations of research on adult Australians' user experiences with reporting harmful content on digital platforms.
- Met with Adobe on the week commencing 31 July; Adobe presented their generative AI Firefly product; and discussed misinformation provenance issues (noting Adobe is a signatory to the DIGI Code of Practice on Disinformation and Misinformation).
- ACMA Chair Nerida O'Loughlin and Deputy Chair Creina Chapman met with the Minister for Communications Michelle Rowland to discuss misinformation and disinformation issues.

eSafety

- Finalised its position statement on generative AI to coincide with the DP-REG Digital Technology Working Group's Commissioners attendance at the [International Institute of Communications forum](#) to be held on 15 and 16 August 2023. **ACTION ITEM:** eSafety to share final version of the position statement with this working group; provide list of academics eSafety consulted over the drafting of the position statement (noting knowing who other agencies consider experts in their field would be useful for the LLM paper).

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- eSafety is looking to revise and expand the Basic Online Safety Expectations (BOSE), including expanding the scope of the BOSE to other types of tech harms; online hate; generative AI; and services using generative AI.

OAIC

- On 8 August 2023, the OAIC released the [Australian Community Attitudes to Privacy Survey 2023](#). The survey includes insights on child privacy and safety; Australians' views on privacy risks; privacy issues' intersection with product safety; and difficulties unsubscribing from marketing communications.
- The OAIC is still engaging the Attorney-General's Department on the Privacy Act Review
- The OAIC is going through the court timetable on the agency's proceedings against Facebook Inc and Facebook Ireland in the Federal Court [REDACTED]
- The OAIC released [new guidance](#) on what services children can access online.

Algorithms literature summary

See also: [Current draft of the literature summary](#)

- Working group to finalise the literature summary, noting additional steering committee sign off is not required (an office level agreement will be sought).
- The summary will be published once the microsite is available.
- Agreed to timestamp the summary.

LLMs examination of technology

See also: [Current draft of the literature summary](#)

- Changed the timing for delivery of the paper to align with the microsite; flagged the paper with the ACCC's legal advice team to review the paper once all agencies have made input. **ACTION ITEM:** eSafety's Communications team to review the paper (noting a two-week turnaround time should be factored in to the 30 October 2023 deadline).
- Agreed to timestamp the publication.

Template for public facing outputs

- The ACCC agreed to prepare an initial template for public facing outputs of the working group; the working group suggested the template could address the targeted audience and distribution channels of the output. **ACTION ITEM:** ACCC to circulate template before the group's next meeting.

2023-24/2024-25 workplan discussion

- Agreed to undertake working group planning on future work around the financial year.
- Suggested holding a workshop on planning future work for the 2024-2025 financial year. **ACTION ITEM:** ACCC to circulate updated work plan before the group's next meeting.
- Suggested noting the group's current work on updating the various documents/papers in the 2023-24 work plan.

Upcoming meetings

- Agreed to hold the next meeting in September 2023, excluding 30 September [REDACTED]
- Suggested the next examination of technology could cover biometrics or immersive tech (noting, however, the group has examined immersive tech before), to be discussed further.

Date of next meeting

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- The next meeting of this working group will be in September 2023, the date and time is to be confirmed.

The meeting concluded at approximately 12:30PM AEST.